

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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DR. JUDY WOOD on behalf of the §
UNITED STATES OF AMERICA §
§
Plaintiff, §
§
vs. §
§
SCIENCE APPLICATIONS §
INTERNATIONAL CORP.; APPLIED §
RESEARCH ASSOCIATES, INC.; §
BOEING, NuSTATS; COMPUTER §
AIDED ENGINEERING ASSOCIATES, §
INC.; DATASOURCE, INC.; §
GEOSTAATS, INC.; GILSANZ §
MURRAY STEFICEK LLP; HUGHES §
ASSOCIATES, INC.; AJMAL ABBASI; §
EDUARDO KAUSEL; DAVID PARKS; §
DAVID SHARP; DANIELE VENEZANO; §
JOSEF VAN DYCK; KASPAR WILLIAM; §
ROLF JENSEN & ASSOCIATES, INC.; §
ROSENWASSER/GROSSMAN §
CONSULTING ENGINEERS, P.C.; §
SIMPSON GUMPERTZ & HEGER, INC.; §
S. K. GHOSH ASSOCIATES, INC.; §
SKIDMORE, OWINGS & MERRILL, §
LLP; TENG & ASSOCIATES, INC.; §
UNDERWRITERS LABORATORIES, §
INC.; WISS, JANNEY, ELSTNER §
ASSOCIATES, INC.; AMERICAN §
AIRLINES; SILVERSTEIN PROPERTIES; §
and UNITED AIRLINES, §
Defendants. §

Case No. 07CV3314

**NOTICE OF MOTION FOR
RULE 11 SANCTIONS**

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PLEASE TAKE NOTICE, that upon the attached Memorandum of Law In Support Of

Motion For Rule 11 Sanctions, pursuant to Rule 11(c) of the Federal Rules of Civil Procedure,

Defendant UNDERWRITERS LABORATORIES, INC. ("UL") now moves this Court, before the Honorable George B. Daniels, U.S.D.J., for an order imposing sanctions against Plaintiff's Counsel, Jerry V. Leaphart and the Law Offices of Jerry V. Leaphart & Assoc., P.C. for the conduct of Plaintiff's counsel. Rule 11(c), Fed. R. Civ. P.

Plaintiff's Counsel submitted obvious misrepresentations and allegations unsupported by fact or law and brought for an improper purpose, to this Court in the instant *qui tam* Complaint filed by Dr. Judy Wood ("Wood"), as well as within his own application for Rule 11 Sanctions. Plaintiff's Counsel has had the opportunity to correct or otherwise withdraw the Complaint but has failed to do so. Accordingly, Defendant UL respectfully requests that this Court impose against Plaintiff's Counsel and law firm penalties sufficient to deter future conduct of like nature. Specifically, since Plaintiff's claims are all factually groundless or legally frivolous, Defendant UL requests that this Court impose sanctions against her attorney and law firm under Rule 11. Moreover, since the Complaint was brought for an improper purpose, the sanctions should take the form of an award of attorney's fees to UL.

In support of Defendant UNDERWRITERS LABORATORIES, INC.'s motion, a memorandum of law is filed herewith.

Dated: New York, New York
February 25, 2008

BIEDERMANN, REIF, HOENIG & RUFF, P.C.

By: 

Philip C. Semprevivo, Jr. (PS 1526)

570 Lexington Avenue, 16th Floor
New York, New York 10022

(212) 697-6555

psemprevivo@brhr.com

Attorneys for Defendant

Underwriters Laboratories, Inc.